THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.292 OF 2006

DATED:5.1.2006

Between:

Sri Ravinder Kumar and others

…Petitioners

And

The District Collector,

Medak District, Sangareddy and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.292 OF 2006

ORDER:

The three petitioners are sons of one Vinodilal and are residents of Chragali lane. They alleged that their father was absolute owner and possessor of the land admeasuring Acs.203.00 in S.Nos.261, 261/2, to 261/19, and 261/23 situated at Annaram Village, Jinnaram Mandal, Medak District. It is claimed that the land was purchased under sale deeds executed in 1984, 1985 and 1986. This land in question seems to have been subject matter of a writ petition being W.P.No.14627 of 1991, which ultimately ended in Supreme Court statedly in favour of the petitioners. Be that as it is, on 17.9.2004 the petitioners made an application to fourth respondent, Mandal Revenue Officer, Jinnaram Mandal, requesting to implement the registered documents and issue pattadar pass books and title deeds at the earliest.

It is the grievance of the petitioners that the fourth respondent did not conduct enquiry as required under A.P.Rights in Land and Pattadar Pass Books Act, 1971 and therefore they seek *inter alia* a direction to mutate the names of the petitioners in the revenue records in respect of the lands admeasuring Acs.24.00 in S.No.261/2 to 261/19, 261/22 and 261/23.

After hearing the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue (General), this Court is convinced that no order can be granted in favour of the petitioners for the reason that as per Rule 18(2) of the A.P.Rights in Land and Pattadar Pass Books Rules, 1989 (for short, the Rules), a person seeking necessary changes in the record of rights is required to make an application in Form VI-A giving necessary details intimating acquisition of rights whereupon, it is incumbent on the part of the Mandal Revenue Officer to conduct enquiry in accordance with the procedure laid down therein. Admittedly, the petitioners claim right to the land in question through their father Vinodilal and also along with them. Therefore, unless and until the petitioners make an application to the fourth respondent in the prescribed form, there is no obligation on the part of the Mandal Revenue Officer to conduct enquiry. Therefore, in view of the above, liberty is given to the petitioners to approach the fourth respondent and make an application in proper form as per the Rules. In this Writ Petition, no relief can be granted.

The Writ Petition, without expressing any opinion on the merits of the case or right of the petitioners to the land in question, is accordingly dismissed.

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(V.V.S.RAO, J)

5.1.2006

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